

REMARKS

Applicants' undersigned attorney thanks the Examiner for her comments. Applicants respectfully request reconsideration of this patent application, particularly in view of the above Amendment and the following remarks. Currently, Claims 2-8, 13, 15-18, 38, and 39 are pending.

Amendments to the Claims

Claims 2-8, 13, 15-18, 38, and 39 have been examined with no claims being allowed. Independent Claim 5 has been amended to recite the garment as being disposable, and to include the limitation of the disposable garment being selected from the group consisting of diapers, training pants, feminine hygiene products, and incontinence products. The term "disposable" is defined at page 6, lines 7-8, of the specification. Support for the Markush group of disposable garments is provided at page 13, lines 18-21, of the specification.

Independent Claim 15 has been amended to include the limitation of an absorbent core within the chassis. Support for this limitation is provided, for example, at page 14, lines 14-21, of the specification.

Applicants respectfully request the cancellation of Claims 38 and 39.

No new matter has been added by this Amendment. No additional fee is due for this Amendment because the number of independent claims has been reduced and the total number of claims has also been reduced.

Drawing Objections

The Examiner has objected to the drawings for failing to show every feature of the invention specified in the claims. Applicants have amended Fig. 4B to show the ribbon cover directly bonded to the outer surface of the side panels in combination with the folded flat side seam, as recited in Claims 2-8, 13, and 15-18.

Claim Rejections - 35 U.S.C. §103**A. Clares UK '564 in view of Asahi PCT '220**

The rejection of Claims 38-39 under 35 U.S.C. §103(a) as being unpatentable over Clares UK '564 in view of Asahi PCT '220 is respectfully traversed. More particularly, Applicants have requested cancellation of Claims 38 and 39, thereby rendering this rejection moot.

B. Haman et al. '830 in view of Clares UK '564 and Asahi PCT '220

The rejection of Claims 2-8, 13, 15, and 18 under 35 U.S.C. §103(a) as being unpatentable over Haman et al. (U.S. Patent No. 2,406,830) in view of Clares (GB Patent No. 2,071,564) and Asahi (PCT Publication No. WO96/16220) is respectfully traversed, particularly in view of the above Amendment and the following remarks.

As noted by the Examiner, Haman et al. fail to disclose the seams therein being those of a pant-like garment. As further noted by the Examiner, Haman et al. also fail to disclose a specific width of the ribbon cover.

Although Clares discloses seams in waterproof clothing, such as jackets, trousers and overalls, and Asahi also discloses seams in waterproof fabric for such applications as sport clothes, waterproof work wear, and waterproof uniforms, none of the three cited references, alone or in any combination, disclose or suggest seams in *disposable* garments, particularly in *absorbent* disposable garments such as diapers, training pants, feminine hygiene products, or incontinence products.

Applicants define the term “disposable” at page 6, lines 7-8, as referring to “articles which are designed to be discarded after a limited use rather than being laundered or otherwise restored for reuse.” It is clear that the garments disclosed in Haman et al., Clares, and Asahi are all durable garments rather than disposable garments. There is no suggestion or motivation to modify the teachings of any of these three references to incorporate the seams therein into disposable garments rather than durable garments. Furthermore, none of the garments disclosed in Haman et al., Clares, and Asahi include an absorbent core, and there is particularly no suggestion or motivation to modify the teachings of any of these three

references to incorporate the seams therein into absorbent, disposable garments such as diapers, training pants, feminine hygiene products, or incontinence products.

Furthermore, Clares discloses a ribbon cover that is wrapped around a butt seam prior to folding the butt seam over. Thus, the edge portion 11b or 12b is not bonded directly to an outer surface of the panel 11 or 12, as recited in Applicants' Claim 5, but instead includes the ribbon cover 16 in between the edge portion 11b or 12b and the respective panel 11 or 12. Asahi fails to disclose a ribbon cover altogether. The seam configurations in Clares and Asahi are very different from the seam configurations in Haman et al. Thus, there is no suggestion or motivation to combine the teachings of these three references, absent impermissible hindsight. Even if these three references were combined, the combination thereof fails to disclose or suggest Applicants' claimed invention because none of the three references disclose or suggest seams that can be included in *disposable* garments, particularly in *absorbent* disposable garments such as diapers, training pants, feminine hygiene products, or incontinence products.

For at least the reasons given above, Applicants respectfully submit that the teachings of Haman et al., Clares, and Asahi fail to disclose or suggest Applicants' claimed invention. Accordingly, reconsideration and withdrawal of this rejection is respectfully requested.

C. Haman et al., Clares, and Asahi further in view of Stopper '290

The rejection of Claims 16 and 17 under 35 U.S.C. §103(a) as being unpatentable over Haman et al., Clares, and Asahi, as applied to Claim 15 above, and further in view of Stopper et al. (U.S. Patent No. 5,635,290) is respectfully traversed, particularly in view of the above Amendment and the following remarks.

For the reasons presented above, Applicants maintain that Haman et al., Clares, and Asahi fail to disclose or suggest Applicants' invention as recited in Claim 15. Despite any suggestion of elastic materials in Stopper et al., Stopper et al. fails to overcome the deficiencies of the other three references in disclosing or suggesting each of the limitations of independent Claim 15, from which Claims 16 and 17 depend.

For at least the reasons given above, Applicants respectfully submit that the

teachings of Haman et al., Clares, Asahi, and Stopper et al. fail to disclose or suggest Applicants' claimed invention. Accordingly, reconsideration and withdrawal of this rejection is respectfully requested.

Conclusion

Applicants intend to be fully responsive to the outstanding Office Action. If the Examiner detects any issue which the Examiner believes Applicants have not addressed in this response, Applicants' undersigned attorney requests a telephone interview with the Examiner.

Applicants sincerely believe that this Patent Application is now in condition for allowance and, thus, respectfully request early allowance.

Respectfully submitted,



Melanie I. Rauch
Registration No. 40,924

Pauley Petersen & Erickson
2800 West Higgins Road, Suite 365
Hoffman Estates, Illinois 60195
(847) 490-1400
FAX (847) 490-1403

Attachment

Amendments to the Drawings

The attached sheet of drawings includes a change in Fig. 4B. This sheet, which includes Figs. 4A, 4B, and 5, replaces the original sheet including Figs. 4A, 4B, and 5.

In Fig. 4B, the ribbon cover 90 is now illustrated as being directly bonded to both the front and back side panels 34, 134.

Attachment: Replacement Sheet